

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

RECEIVED OCT 7 1996  
United States Bankruptcy Court  
FILED

OCT 24 1996

IN RE:

JH Collectibles Inc. (a/k/a  
JH Collectibles and Junior  
House, Inc.),

Debtor.

Tax Identification  
No. 39-0738698

C. L. AUSTIN, CLERK  
Milwaukee, Wisconsin

Case No. 96-28214-MDM

Chapter 11 - Judge McGarity

ORDER (A) ESTABLISHING ADMINISTRATIVE AND NOTICE PROCEDURES AND  
(B) AUTHORIZING RETENTION OF CLAIMS AND NOTICING AGENT

This matter coming on to be heard on the Emergency Motion of Debtor for Order (A) Establishing Administrative and Notice Procedures and (B) Authorizing Retention of Claims and Noticing Agent (the "Motion"), filed by JH Collectibles Inc., and debtor in possession (the "Debtor"); the Court having reviewed the Motion and the Declaration of Normand Neal attached to the Motion, and having heard the statements of counsel in support of the relief requested therein; the Court finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); the Court finding that notice of the motion

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given by the Debtor was sufficient under the circumstances; and the Court being fully advised in the premises and having determined that the legal and factual bases set forth in the Motion, the Declaration of Normand Neal attached to the Motion and at the hearing on the Motion establish just cause for the relief herein granted;

IT IS HEREBY ORDERED:

1. The Motion is granted to the extent set forth herein.

2. Any party filing a pleading or other document, other than a proof of claim or proof of interest, in the Debtor's chapter 11 case shall be required to file with the Clerk of the Court an original and three copies of such pleading or other document.

3. Any party filing a proof of claim or proof of interest in the Debtor's chapter 11 case shall be required to file with the Clerk of the Court only the original and one copy of the proof of claim or proof of interest.

4. Any party filing a pleading or other document in the Debtor's chapter 11 case shall be charged with the noticing and service functions relevant to such pleading or other document, and such party shall be required to file with the Clerk of the Court a declaration of service regarding such noticing and service.

5. With respect to the noticing of the entry of any order or judgment, the following procedure shall be, and hereby is, approved: The original proposed order or judgment shall be

accompanied by (a) more than one copy of the proposed order or judgment; and (b) more than one copy of a separate notice of entry, to which shall be attached a mailing list of all parties who are required by Bankruptcy Rule 9022 and the Local Rules to be served with the order or judgment. As soon as practicable after receiving conformed copies of the order or judgment and the notice of entry, the attorney for the party submitting the order or judgment shall serve copies upon all parties entitled to receive notice of the entry of the order or judgment.

6. Except as provided in paragraphs 7 and 8 below, with respect to all matters for which the Bankruptcy Code, 11 U.S.C. §§ 101-1330 (the "Bankruptcy Code"), the Bankruptcy Rules or the Local Rules authorize the Court to designate or limit the parties entitled to notice, notice shall be sufficient if served, via first-class mail, hand delivery or facsimile, only upon the following parties at the following addresses (the "Primary Service List"):

a. the Office of the United States Trustee, at the following address:

Amelia Ramirez, Esq.  
Office of the United States Trustee  
517 East Wisconsin Avenue, Room 430  
Milwaukee, Wisconsin 53202  
Facsimile: (414) 297-4478

b. counsel to the Official Committee of Unsecured Creditors appointed pursuant to section 1102 of the Bankruptcy Code at the following addresses:

William M. Silverman, Esq.  
Otterbourg, Steindler, Houston & Rosen, P.C.  
230 Park Avenue  
New York, New York 10169  
Facsimile: (212) 682-6104

Albert Solochech, Esq.  
Howard, Solochech & Weber, S.C.  
324 East Wisconsin Avenue, Suite 1100  
Milwaukee, WI 53202  
Facsimile: (414) 272-7265

c. any insured depository institution entitled to notice, which notice shall be directed to the attention of a designated officer of such institution, including the following:

M & I Marshall & Ilsley Bank  
770 North Water Street  
Milwaukee, Wisconsin 53202  
Attn: Mark R. Hogan, Senior Vice President  
Facsimile: (414) 765-7625

Randall D. Crocker, Esq.  
von Briesen, Purtell & Roper, S.C.  
411 East Wisconsin Avenue, Suite 700  
Milwaukee, Wisconsin 53202  
Facsimile: (414) 276-6281

American National Bank and Trust  
Company of Chicago  
33 North LaSalle Street  
Chicago, Illinois 60690  
Attn: Jeffrey Cerny, Vice President  
Facsimile: (312) 661-5906

Mark L. Prager, Esq.  
Foley & Lardner  
One IBM Plaza, Suite 3300  
330 N. Wabash Avenue  
Chicago, Illinois 60611  
Facsimile: (312) 755-1925

Mercantile Bank of Western Missouri  
201 East Cherry  
P.O. Box 467  
Nevada, Missouri 64772  
Attn: Charles R. Edmonds, Vice President  
Facsimile: (417) 667-9156

Andrew M. Barnes, Esq.  
Quarles & Brady  
411 East Wisconsin Avenue  
Milwaukee, WI 53202  
Facsimile: (414) 271-3552

d. the Debtor and counsel for the Debtor, at the following addresses:

JH Collectibles Inc.  
200 West Vogel Avenue  
Milwaukee, Wisconsin 53207  
Attn: Michael F. Best  
Facsimile: (414) 747-7440

David S. Heller, Esq.  
Josef S. Athanas, Esq.  
Katten Muchin & Zavis  
525 West Monroe Street, Suite 1600  
Chicago, Illinois 60661  
Facsimile: (312) 902-1061

Daryl L. Diesing, Esq.  
Bruce G. Arnold, Esq.  
Whyte Hirschboeck Dudek S.C.  
111 East Wisconsin Avenue, Suite 2100  
Milwaukee, Wisconsin 53202-4894  
Facsimile: (414) 223-5000

e. counsel for Audrey F. Ross, the Estate of Kenneth B. Ross, and the Kenneth B. Ross Living Trust (the "Guarantors") and counsel for Audrey F. Ross, the Estate of Kenneth B. Ross, the Kenneth B. Ross Living Trust and International Fashions, Inc. (the "Subordinated Creditors"), at the following address:

Peter C. Blain, Esq.  
Reinhart, Boerner, Van Deuren, Norris  
Norris & Rieselbach, s.c.  
1000 North Water Street, Suite 2100  
Milwaukee, WI 53202-0900  
Facsimile: (414) 298-8097

f. the holders of claims or interests who file with the Court and serve on counsel for the Debtor a request for special notice; and

g. any party against whom direct relief is sought, including, by way of example and not limitation, the non-Debtor party to an executory contract being assumed or

rejected and parties asserting interests in property being sold.

7. Unless otherwise ordered by the Court, the noticing procedures set forth in paragraph 7 above shall not apply to notices of the matters or proceedings described in Bankruptcy Rules 2002(a)(1) (the meeting of creditors pursuant to section 341 of the Bankruptcy Code); (a)(4) (the date fixed for the filing of claims against a surplus in an estate, as provided in Bankruptcy Rule 3002(c)(6)); (a)(5) (any hearing on the dismissal of a case or the conversion of a case to another chapter); (a)(6) (the time fixed to accept or reject a proposed modification of a plan of reorganization); (a)(8) (the time fixed for filing proofs of claim pursuant to Bankruptcy Rule 3003(c)); (b)(1) (the time fixed for filing objections and hearing to consider approval of a disclosure statement); (b)(2) (the time fixed for filing objections and any hearing to consider confirmation of a plan of reorganization); (d) (certain matters for which notice is to be provided to equity security holders); (f)(1) (the entry of an order for relief); (f)(2) (the dismissal or conversion of a case to another chapter); (f)(3) (the time allowed for filing claims pursuant to Bankruptcy Rule 3002); (f)(5) (the time fixed for filing a complaint to determine the dischargeability of a debt pursuant to section 523 of the Bankruptcy Code, as provided in Bankruptcy Rule 4007); (f)(6) (the waiver, denial or revocation or a discharge, as provided in Bankruptcy Rule 4006); (f)(7) (the entry of an order confirming a chapter 11 plan of reorganization); and (f)(8) (a summary of the trustee's final report and account, should a case be converted to

chapter 7, if the net proceeds realized exceed \$1,500), all of which matters or proceedings shall be noticed in accordance with the applicable provisions of Bankruptcy Rule 2002. In addition, nothing in this Order shall prejudice: (a) the rights of any party in interest to move the Court to further limit or expand notice upon a showing of good cause, including, but not limited to, the right to file a motion seeking emergency ex parte consideration, or consideration upon shortened time; or (b) the rights of any party to seek an enlargement or reduction of a time period under Bankruptcy Rule 9006(b) or (c).

8. From time to time during the pendency of the Debtor's chapter 11 case, counsel for the Debtor shall file with the Court an updated version of the Primary Service List, for the convenience of parties in interest. A party that wishes to change its address on the Primary Service List should provide notice of the change to the Court and the parties on the Primary Service List and any other affected parties. Within ten days after the provision of such a notice, the Debtor shall revise the Primary Service List to reflect such changed address.

9. The form of the notice (the "Section 341(a) Notice") of the meeting of creditors pursuant to section 341(a) of the Bankruptcy Code that is attached as Exhibit A to the Motion shall be, and hereby is, approved. The Debtor shall be, and hereby is, directed to arrange for the mailing of the Section 341(a) Notice, at the expense of the Debtor's estate, to all known creditors and equity security holders, all parties who have requested special notice and all other parties in interest, as

required by Bankruptcy Rules 2002(a)(1), (d), (f), (i), (j) and (k).

10. The Debtor shall be, and hereby is, authorized to engage Logan & Company, Inc. ("Logan") as a claims processing and noticing agent (the "Claims and Noticing Agent") in this chapter 11 case, on the terms and conditions set forth in an agreement substantially in the form attached to the Motion as Exhibit B (the "Logan Agreement").

11. Under the Logan Agreement, Logan, at the request of the Debtor or the office of the Clerk of the Court (the "Clerk's Office"), shall provide the following services as the Claims and Noticing Agent:

a. prepare and serve required notices in this chapter 11 case, including, without limitation:

- i. the Section 341(a) Notice;
- ii. notice of the claims bar date;
- iii. notice of objections to claims;
- iv. notice of any hearings on a disclosure statement and confirmation of a plan of reorganization; and

- v. other miscellaneous notices to any entities, as the Debtor or the Court may deem necessary or appropriate for an orderly administration of this chapter 11 case;

b. within five days after the mailing of a particular notice, file with the Clerk's Office a declaration of service that includes a copy of the notice



involved, an alphabetical list of persons to whom the notice was mailed and the date of mailing;

c. maintain copies of all proofs of claim and proofs of interest filed;

d. maintain duplicate claims registers by docketing copies of all proofs of claim and proofs of interest on claims registers including, among other things, the following information:

i. the name and address of the claimant and any agent thereof, if the proof of claim or proof of interest was filed by an agent;

ii. the date received;

iii. the claim number assigned; and

iv. the asserted amount and classification of the claim;

e. implement necessary security measures to ensure the completeness and integrity of the claims registers;

f. maintain an up-to-date mailing list for all entities that have filed a proof of claim or proof of interest, which list shall be available upon request of a party in interest or the Clerk's Office and comply with all requests under Local Bankruptcy Rule 4.04(b) for mailing labels duplicated from the mailing list;

g. record copies of all transfers of claims pursuant to Bankruptcy Rule 3001(e) and provide notice of such transfers, as required by Bankruptcy Rule 3001(e);


h. comply with applicable federal, state, municipal and local statutes, ordinances, rules, regulations, orders and other requirements;

i. provide temporary employees to process claims, as necessary; and

j. promptly comply with such further conditions and requirements as the Clerk's Office may at any time prescribe.

12. In addition to the foregoing, the Debtor shall be, and hereby is, authorized to employ Logan to assist it with, among other things: (a) the preparation of schedules, statements of financial affairs and master creditor lists, and any amendments thereto; (b) the reconciliation and resolution of claims; and (c) the preparation, mailing and tabulation of ballots for the purpose of voting to accept or reject a plan of reorganization.

Dated: October 24, 1996

  
The Honorable Margaret Dee McGarity

<sup>delivered</sup>  
This is to certify that copies of this document were mailed this 24 day of October, 19 96 to the following:

Bruce Arnold

By: K. Oswald